

REMARKS

Claims 1-12 have been cancelled.

New Claims 13-28 have been added including independent Claims 13, 20, and 25.

Claims 1-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,353,995 to *Chabert*.

Chabert teaches a powder atomizer for coating work pieces with a powder coating material delivered through a channel 13 to an atomizer head 16 having an ejection outlet 62. The powder paint is delivered under pressure through the feed passage 13 to the outlet 62 and is subsequently atomized by the rotation of the ionizer head 16. An additional air channel 43 introduces additional air to the exterior or backside of the ionizer head 16 to help shape the atomized paint being delivered to the workpiece. Specifically stated in columns 2 and 3 of the '995 patent, "air ejector passages 43 whose orifice are coaxial with and to the rear of the ionizer head 16 towards its periphery to create a flow of air and training the air-powder mixture toward the object to be coated." *Chabert* fails to disclose an additional air channel that provides pressurized air directly to the annular outlet 62 of the ionizer head 16.


New Claims 13 through 28, including independent Claims 13, 20, and 25 have been added to the application and recite a paint tube providing paint to a channel defined in an atomizer in combination with an air channel that also provides pressurized air to the paint channel defined by the atomizer from a source of pressurized air. Support for this combination of elements can be found in the specification on page 5, paragraph 15, and throughout the rest of the specification. As stated above, *Chabert* fails to disclose this combination of elements. Specifically, that includes an air channel providing air pressurized air to a paint channel defined by an atomizer in combination with a separate paint tube providing paint to the paint channel. Therefore, Applicant respectfully submits that the new claims submitted with this response are defined over *Chabert* and are in a position for allowance.

Accordingly, it is respectfully submitted that the Application, as amended, is now presented in a condition for allowance, which allowance is respectfully solicited. Further and favorable reconsideration of the outstanding Office Action is hereby requested.

Although it is believed that no fee is due for the filing of this Amendment, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayments regarding this Amendment.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the enclosed **Amendment** is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee," Mailing Label No. **EL997489805US** and addressed to **Mail Stop Non-Fee Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **November 26, 2003**.



Tracy L. Smith

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